

Charter Amendment No. 15-1

Resolution No.: 10-01-15

Adopted: _____

Effective Date: _____

BOARD OF MANAGERS

FOR

CHEVY CHASE VILLAGE, MD

A RESOLUTION TO REPEAL THE CHEVY CHASE VILLAGE CHARTER IN ITS ENTIRETY AND ADOPT A NEW CHARTER

This Resolution of the Board of Managers of Chevy Chase Village (the "Board of Managers") is adopted pursuant to Article XI-E of the Constitution of Maryland, and §4-301 *et seq.* of the Annotated Code of Maryland to repeal the Chevy Chase Village Charter in its entirety and to enact a new Charter.

For the purpose of repealing the Charter of Chevy Chase Village and adopting a new Charter for the municipal corporation known as Chevy Chase Village to stand in the place of the Charter so repealed; for the purpose of reestablishing a form of government for the municipal corporation known as Chevy Chase Village; providing for the continuation of existing boundaries of the municipal corporation, subject to future alterations; providing for the election and appointment of officials and employees of the municipal corporation, subject to future alterations; specifying the powers of the municipal corporation; providing for the administration of personnel and retirement matters for the municipal corporation, including the administration of a merit system; providing for the borrowing of funds and the creation of debts and other obligations by and on behalf of the municipal corporation for various purposes, and dealing with other taxation and financial matters of the municipal corporation; providing for the continuation of ordinances and resolutions enacted by the Board of Managers of Chevy Chase Village prior to the adoption of this Charter except under certain circumstances; providing that the adoption of this Charter is not intended to alter ownership, title or control of property in which the municipal corporation had an interest prior to its adoption; providing that the adoption of this Charter does not affect any liabilities, debts or other obligations entered into or incurred by or on behalf of the municipal corporation prior to its adoption and that such liabilities, debts and other obligations shall continue to be fulfilled and satisfied by the municipal corporation; providing that the terms of office and incumbency of existing Village Officials and the continuity of units of the Village government are not affected by the adoption of this Charter; and all such and other

matters generally relating to the continued existence and operation of the municipal corporation known as Chevy Chase Village.

SECTION 1: BE IT RESOLVED BY THE BOARD OF MANAGERS OF CHEVY CHASE VILLAGE, that the Charter of Chevy Chase Village as it now exists, be and the same is hereby repealed, and a new Charter for the municipal corporation known as Chevy Chase Village, attached hereto and incorporated herein by reference, is hereby adopted to stand in the place of the Charter so repealed.

SECTION 2: AND BE IT FURTHER RESOLVED that all ordinances and resolutions enacted by the Board of Managers of Chevy Chase Village prior to the date upon which the Charter adopted by this Resolution takes effect shall thereafter continue in full force and effect, except to the extent that the authority, either express or implied, for such ordinance or resolution is not granted to Chevy Chase Village by the Charter adopted by this Resolution or by other law, and further except to the extent that any such ordinance or resolution may irreconcilably conflict with any provision of the Charter adopted by this Resolution.

SECTION 3: AND BE IT FURTHER RESOLVED that this Resolution repealing the Charter of Chevy Chase Village and adopting a new Charter for the municipal corporation known as Chevy Chase Village shall not alter ownership, title or control of any property in which the municipal corporation had an interest prior to the effective date of the Charter adopted by this Resolution; nor shall the adoption of this Resolution adopting a new Charter for the municipal corporation affect any liabilities, debts or other obligations entered into or incurred by or on behalf of the municipal corporation known as Chevy Chase Village prior to the effective date of the Charter and all such liabilities, debts and other obligations shall continue to be fulfilled and satisfied by the municipal corporation; nor shall the adoption of this Resolution adopting a new Charter for Chevy Chase Village affect the term of office or incumbency of any Board member, or any appointed or elected member of any department, office, board, commission, committee, agency or other unit of Chevy Chase Village, and the continuity of every department, office, board, commission, committee, agency, or other unit of the municipal government is retained, it being the intent of the Board of Managers in the adoption of this Resolution that the affairs of the municipal corporation be continued without interruption and without substantial changes in the form or manner of government under the Charter adopted by this Resolution.

SECTION 4: AND BE IT FURTHER RESOLVED that if any provision of this Resolution or the Charter adopted by this Resolution, or the application thereof to any person or circumstance is held invalid for any reason, such invalidity shall not affect the other provisions or any other application of this Resolution or of the Charter which can be given effect without the invalid provisions or application, and to this end, all the provisions of this Resolution and of the Charter are hereby declared to be severable.

SECTION 5: AND BE IT FURTHER RESOLVED, that the date of adoption of this Resolution is _____, 2015 and that the repeal and reenactment of the Village Charter hereby proposed by this enactment shall be and become effective on _____, 2015 unless a proper petition for a referendum thereon shall be filed as permitted by law on or before _____ 2015.

SECTION 6. AND BE IT FURTHER RESOLVED, that a complete and exact copy of this Resolution shall be posted at Village Hall, 5906 Connecticut Avenue, Chevy Chase, Maryland 20815 for at least forty (40) days following adoption and a fair summary of this Resolution shall be published in a newspaper of general circulation in Chevy Chase Village not less than four (4) times, at weekly intervals, within a period of at least forty (40) days starting immediately after the date of adoption.

SECTION 7: AND BE IT FURTHER RESOLVED, that as soon as the Charter Amendment hereby enacted shall become effective, either as herein provided or following a referendum, the Chair of the Board of Managers shall send, by mail, bearing a postmark from the United States Postal Service, to the Department of Legislative Services, the following information concerning the Charter Amendment: (i) the complete text of this Amendment to the Village Charter as hereby enacted; (ii) the date of the referendum election, if any, held with respect thereto; (iii) the number of votes cast for and against the question concerning the Charter Amendment, whether by the Board of Managers or in a referendum; and (iv) the effective date of the Charter Amendment.

SECTION 8: AND BE IT FURTHER RESOLVED, that the said Chair be and is hereby specifically instructed to carry out the provisions of Sections 6 and 7. As evidence of compliance herewith, the said Chair shall cause to be placed in the Village files the following information concerning the Charter Amendment: (i) appropriate certificates of publication of the newspaper in which a fair summary of the Resolution shall have been published; and (ii) the Municipal Charter or Annexation Resolution Registration Form.

Michael L. Denger, Chair

Elissa Leonard, Vice Chair

Gary Crockett

Robert C. Goodwin, Jr.

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Richard Ruda

David L. Winstead

ATTEST:

Richard Ruda, Secretary